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ATTORNEYS FOR PLAINTIFFS

19 J.L., a minor by and through his
20 Guardian Ad Litem MINA LILLY, T.A.,
21 a minor by and through her Guardian
Ad Litem SHWANA HARDY; and S.T., a
minor by and through his Guardian Ad
Litem JOANNE TAITANO

Plaintiffs

V.

24 CLARK COUNTY SCHOOL DISTRICT,
25 MELISSA OLSZEWSKI, SHAWN
HALLAND and DOES 1-50

Defendants

Case No. 2:23-cv-00810-JCM-BNW

STIPULATION AND [PROPOSED] ORDER TO MODIFY SCHEDULING ORDER

[SECOND REQUEST]

**District Judge James C. Mahan
Magistrate Judge Brenda Weksler**

Date Filed: May 24, 2023
Trial Date: Unassigned

1 The Parties, through their undersigned counsel, hereby stipulate as follows:

2 **1. STATEMENT OF DISCOVERY COMPLETED**

3 The Parties submitted their stipulated discovery plan and scheduling order on
4 September 14, 2023 (Dkt. No. 25) and the Court entered its scheduling order on
5 September 15, 2023 (Dkt. No. 26). On December 29, 203, the Court granted the Parties'
6 First Request to modify the scheduling order (Dkt. No. 33). The Parties have completed
7 the following discovery to date:

8 1. On September 28, 2023, Defendants Clark County School District
9 ("CCSD") and Shawn Halland (collectively the "CCSD Defendants") served their initial
10 disclosures.

11 2. On September 28, 2023, Plaintiffs served their initial disclosures.

12 3. On November 7, 2023, CCSD and Halland served their first supplemental
13 disclosures.

14 4. On November 22, 2023 CCSD served Interrogatories and Requests for
15 Production, Set One upon Plaintiffs J.L., T.A. and S.T.

16 5. On December 1, 2023, Plaintiffs served Interrogatories and Requests for
17 Production, Set One to Defendants CCSD and Halland.

18 6. On December 1, 2023, Plaintiffs noticed the depositions of Defendants
19 CCSD, Halland and Olszewski, as well as non-parties Daniel Ciarciaglini, Shirley
20 Diaz, Elaine Hansen, Natalie Holshue, James Kettner, Rebecca Lucero and Jodie
21 Swader.

22 7. On December 15, 2023, the CCSD Defendants requested dates for
23 depositions of Plaintiffs' guardians.

24 8. On December 22, 2023, Plaintiffs served their responses to CCSD's
25 Interrogatories and Requests for Production, Set One.

26 9. On January 16, 2024, CCSD served its responses to Plaintiffs'
27 Interrogatories and Requests for Production, Set One.

28 10. On January 19, 2024, CCSD and Halland served their second

1 supplemental disclosures.

2 **2. STATEMENT OF DISCOVERY THAT REMAINS TO BE
3 COMPLETED**

4 The following discovery remains to be completed:

5 1. Completion of all currently noticed depositions;

6 2. Additional depositions and written discovery, if needed based on
7 information or evidence gathered through the outstanding discovery and pending
8 depositions;

9 3. Disclosure of Experts, Expert Reports; and

10 4. Expert Discovery and Depositions.

11 **3. REASONS WHY DISCOVERY WILL NOT BE COMPLETED BY THE
12 CURRENT DISCOVERY CUTOFF**

13 Under the current deadlines, lay discovery closes on April 5, 2024. The Parties
14 need additional time to meet-and-confer regarding production of documents, to review
15 them when produced, and to take party depositions thereafter. The parties are also
16 engaged in ongoing settlement discussions and are hopeful that a resolution can be
17 reached. Accordingly, the Parties request a 90-day extension of all deadlines.

18 **4. PROPOSED SCHEDULE**

19 The Parties hereby stipulate and agree that the deadlines to complete discovery
20 as set forth in the Scheduling Order (Dkt. No. 33) shall be extended ninety (90) days
21 as follows:

22 1. **Lay Discovery Period:** The deadline to complete lay discovery shall be
23 extended from April 5, 2024 to **July 8, 2024**.

24 2. **Initial Expert Disclosure:** The deadline to file initial expert reports
25 shall be extended from May 6, 2024 to **August 5, 2024**.

26 3. **Rebuttal Expert Disclosure:** The deadline to file rebuttal expert
27 reports shall be extended from June 5, 2024 to **September 3, 2024**.

28 4. **Expert Discovery Period:** The deadline to complete expert discovery
29 shall be extended from July 8, 2024 to **October 7, 2024**.

1 5. **Dispositive Motions:** The deadline to file dispositive motions shall be
2 extended from August 7, 2024 to **November 5, 2024**.

3 6. **Pretrial Order:** If no dispositive motions are filed, the Joint Pretrial
4 Order shall be filed thirty (30) days after the date set for the filing of dispositive
5 motions. Therefore, the joint pretrial order shall be extended from September 6, 2024
6 to **December 5, 2024**. In the event dispositive motions are filed, the date for filing
7 the Joint Pretrial Order shall be suspended until thirty (30) days after the decision on
8 the dispositive motions or by further order of the court.

9 This stipulation and order is sought in good faith and not for the purpose of
10 delay. This is the *second* request for a scheduling extension.

11 **IT IS SO STIPULATED.**

13 Dated: March 15, 2024

WALKUP, MELODIA, KELLY & SCHOENBERGER

14 By:



15 _____
16 KHALDOUN A. BAGHDADI
17 VALERIE N. ROSE
18 KATHERINE CONNOLLY
19 Attorneys for Plaintiffs
20 Admitted Pro Hac Vice

21 Dated: March 15, 2024

22 GREENBERG TRAURIG, LLP

23 By:

24 _____
25 /s/ Kara Hendricks
26 KARA B. HENDRICKS
27 WHITNEY L. WELCH-KIRMSE
28 Attorneys for Defendants
 CLARK COUNTY SCHOOL DISTRICT and
 SHAWN HALLAND

1 Dated: March 15, 2024

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3 By /s/ Melissa Olszewski

4 MELISSA OLSZEWSKI

5 *Pro Se*

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ORDER

In consideration of the stipulation by the Parties, and with good cause appearing,

4 1. **Lay Discovery Period:** The deadline to complete lay discovery shall be
5 extended from April 5, 2024 to **July 8, 2024**.

6 2. Initial Expert Disclosure: The deadline to file initial expert reports
7 shall be extended from May 6, 2024 to **August 5, 2024**.

8 3. **Rebuttal Expert Disclosure:** The deadline to file rebuttal expert
9 reports shall be extended from June 5, 2024 to **September 3, 2024**.

10 4. Expert Discovery Period: The deadline to complete expert discovery
11 shall be extended from July 8, 2024 to **October 7, 2024**.

12 5. **Dispositive Motions:** The deadline to file dispositive motions shall be
13 extended from August 7, 2024 to **November 5, 2024**.

14 6. **Pretrial Order:** If no dispositive motions are filed, the Joint Pretrial
15 Order shall be filed thirty (30) days after the date set for the filing of dispositive
16 motions. Therefore, the joint pretrial order shall be extended from September 6, 2024
17 to **December 5, 2024**. In the event dispositive motions are filed, the date for filing the
18 Joint Pretrial Order shall be suspended until thirty (30) days after the decision on the
19 dispositive motions or by further order of the court.

IT IS SO ORDERED.

Shawkey
UNITED STATES MAGISTRATE JUDGE

DATED this 18 day of March,
2024.